

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

JIMMIE SMITH

PLAINTIFF

v.

Civil No. 04-4133

JO ANNE B. BARNHART,  
Commissioner, Social  
Security Administration

DEFENDANT

**JUDGMENT**

Comes now the Court on this 26th day of October, 2005, in accordance with the Memorandum Opinion filed in the above styled case on today's date, and hereby considers, orders and adjudges that the decision of the Commissioner of Social Security is reversed and this matter is remanded to the Commissioner, pursuant to sentence four, *42 U.S.C. § 405(g)*, for further consideration consistent with the Memorandum Opinion.

Counsel is reminded that, in view of the United States Supreme Court decision, *Shalala v. Schaefer*, 113 S.Ct. 2625, 125 L.Ed.2d 239 (1993), a petition for attorney's fees under the Equal Access to Justice Act must be filed within 30 days from the date this Judgment becomes final.

IT IS SO ORDERED.

/s/Bobby E. Shepherd  
Honorable Bobby E. Shepherd  
United States Magistrate Judge